IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:-

THE HONOURABLE THE CHIEF JUSTICE MR.H.L.DATTU
&
THE HONOURABLE MR. JUSTICE K.T.SANKARAN

MONDAY, THE 25TH JUNE 2007 / 4TH ASHADHA 1929

Cont.Case(C).No 910 of 2007(S)

ARISING FROM THE JUDGEMENT IN W.P.(C).NO.33488/2006 DATED 23/01/2007

.....

PETITIONER:-

K.B.RAJESH, AGE 36, S/O.LATE G.BALAKRISHNA PANICKER,
“KRISHNA”, PERUMBALAM P.O.,, CHERTHALA,
CONVENOR, PERUMBALAM BOAT PASSENGERS ASSOCIATION,
REG.NO.A 710/04, PERUMBALAM, ALAPPUZHA.

BY ADV. SRI.K.S.MADHUSOODANAN

RESPONDENTS:-

---

1. AJAY CHAUDARY,
   AGE AND FAHTER'S NAME NOT KNOWN TO THE PETITIONER,
   SECRETARY, TRANSPORT (D) DEPARTMENT,GOVERNMENT OF KERALA
   THIRUVANANTHAPURAM.

2. V.K. BALAKRISHNAN,
   AGE AND FATHER'S NAME NOT KNOWN TO THE PETITIONER,
   DISTRICT COLLECTOR, ALAPPUZHA.

3. ALEX PAUL,
   AGE AND FATHER'S NAME NOT KNOWN TO THE PETITIONER
   DIRECTOR, STATE WATER TRANSPORT DEPARTMENT, ALAPPUZHA.

4. P.D. JOSEPH,
   AGE AND FATHER'S NAME NOT KNOWN TO THE PETITIONER,
   EXECUTIVE ENGINEER, IRRIGATION DEPARTMENT, ALAPPUZHA.

BY SENIOR GOVERNMENT PLEADER SRI.M.R.SABU.

THIS CONTEMPT CASE (CIVIL) HAVING COME UP FOR ADMISSION ON 25/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:-

H.L.Dattu,C.J. & K.T.Sankaran,J.

Cont. Case (C).No.910 of 2007-S

Dated, this the 25th day of June, 2007

JUDGMENT

H.L.Dattu,C.J.

This Court while disposing of W.P.(C).No.33488 of 2006 dated 23.01.2007, had issued the following directions:

> "Accordingly, we direct the respondents to sanction one more passenger boat between Perumbalam and South Paravur as prayed for in the writ petition and also to take appropriate steps to dredge the boat channel properly for plying of the boat without any obstruction. Needful in this regard shall be initiated and completed within a period of four months from the date of receipt of a copy of this judgment.
>
> The writ petition is allowed as above".

2. The complainant in this petition alleges that the respondents have disobeyed the aforesaid orders and directions issued by this Court.

3. Notice of this petition was ordered to be served on the respondents. Sri.M.R.Sabu, learned Senior Government Pleader appears for them and he has produced before us the orders passed by the Director of Directorate of State Water Transport Department, Alappuzha. The message received by the learned Government Pleader reads as under:

> "I may invite your kind attention to the reference cited. As per this office order No.G1-3255/07 dt.23.0607 department has allowed one more boat in Irapuzha - South Paravur route at Perumbalam region in compliance of the

judgment 1st cited. A copy of the order cited 3rd is also enclosed herewith for your information and necessary action".

4. In view of the above, the first portion of the order has been substantially complied with by the respondents.

5. On instructions, Sri.Sabu states that steps have been taken to dredge the boat channel for plying of the boat without any obstruction. This assertion of the learned counsel for the respondents is not disputed by the learned counsel for the petitioner. Therefore, for the present, we are of the opinion that the respondents have substantially complied with the orders and directions issued by this Court.

6. Therefore, contempt proceedings need not be proceeded further for the present and it requires to be dropped and it is dropped.

Ordered accordingly.

H.L.Dattu
Chief Justice

K.T.Sankaran
Judge

vku/-